

Land Planning Policy in Tunisia

Challenges for a harmonious and integrated land planning



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1 Urban Sector Review

Both developed and developing countries around the world have focused attention on the harmonious and sustainable development.

This concept is based on two targets:

- improving the living conditions of the population and optimizing the land's economic and environmental benefits for today's society needs,
- Providing the future generations needs.

This first part will present basic general data about the Tunisian geography, demography, health conditions, economy and urbanization..

1.1 Basic General Data



Fig 1: Geographic position of Tunisia

Source: Development industriel Enfidha -D.I.E.T 2008

The Tunisian history influenced the urban model of its towns. In fact, most of them are characterized by the juxtaposition of two urban units:

- ✓ The old town “the medina”, perceived as an important heritage for its harmonious layout and morphological and architectural specificities, and presents a number of problems such as degradation of buildings.
- ✓ The modern town constructed in the 19th C, characterised by its European style.

Geography and Administration

Table 1: Geography and administration

Theme	Data
Situation	North Africa
Area (km ²)	1 636 610
Coastline (km)	1300
Administration	24 governorates, 264 municipalities
Climate	Well-watered north with Mediterranean influence (an annual average reading of 18°C) Semi-arid south with Sahara influence (1/3 of the Tunisian territory)
Language	Arabic
Religion	Islam

Demography and Health

The Tunisian towns witnessed deep changes which affected the social, economic, and morphological and urbanity aspects.

It is noticed that 66% of the population live in the urban areas (in 264 towns) and particularly in the north-East and Centre-East, with a population density average of 60 person /square meter ranging from 4 person/square meter in the south to 400 person/square meter in the thickly settled north. Consequently, the population isn't equally distributed on the Tunisian territory.

Table 2: Urban population growth.

	1966	1994	2004	Increase rate
Total population	4583200	8 785 700	9 910 872	1.21%
Urban population	40.1%	60%	65%	
Population density (inh/km2)	27.7	56.5	60 (4-400inh/km2)	

Ref: INS/2004 National report on assessing progress in implementing, Habitat II, New York June 2001, MEH.

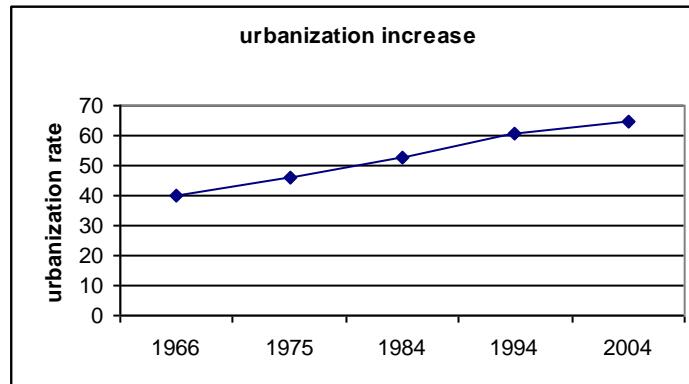


Fig 2: Urbanization increase from 1966 to 2004

In the recent years urban growth is characterised by:

- ✓ the change of destination of migratory movements directed now to smaller and medium-sized towns,
- ✓ the departure from larger towns to rural areas due to the increase in the number of development programmes there,

- ✓ This urban phenomenon is viewed as positive; it shows a relative stability of population movement and enhances the possibility of bringing various service facilities closer to the citizens. The improvement of health conditions shown in recent years in rural and urban areas is one of the main reasons of the stability of the population.

Table 3: Life expectancy and mortality rates

	1966	2004
Life expectancy at birth	51 years	73,2
Mortality rate	15 ‰	5.8 ‰
Mortality rate at birth	138 ‰	22 ‰

Ref: INS 2004/ National report on assessing progress in implementing, Habitat II (Istanbul+5), New York 2001.

Economy

The Tunisian economy is based on the agricultural production. In the recent years, it is noticed a gradual diversification of the Tunisian economy (services, industries). Minerals (crude oil and phosphates) and tourism are the leading sources of foreign exchanges.

Table 4 : Life expectancy and mortality rates

	1966	2004
PIB (MD)	447	35068
Economic growth	2%	5.3%
Economic production		
- Services	161	12777
- Industrial production (MD)	82	9785
- Agricultural production (MD)	89	4428

1.2 Urban Facts and Figures related to the Integrated Urban Planning concept:

Land (formal/informal)

Many actions are introduced by the State in order to cover the national demands on land and to ensure equal access to it with the concern of farming land protection, the environment and disasters prevention. These actions are based on the design of the legal framework, land planning documents,...

However, the deficit in constructible land , and the lack of coordination between the different land agencies in the use of land reserves, the speculation and the quick growth of the urban population have involved an increase in the land cost. In fact, the price of one m² of developed land for building is about 85% of the monthly median income, whereas the price of farming land is about 10% of the monthly median income. Consequently, the recent years have shown an increase in the unplanned urbanization.

Table 5: developed land price to household income

Developed Land for housing	1994	1999
Median land price (US\$)/m ²	52	79
Median monthly household income (US\$)	580	602
1m ² Land price/ monthly household income	0.09	0.13

Ref: *National report on assessing progress in implementing, Habitat II (Istanbul+5), New york June 2001,MEH.*

Table 6: farming land price to household income

farming land	1994	1999
Median land price (US\$)/m ²	7	9
Median monthly household income (US\$)	580	602
1m ² Land price/ monthly household income	0.012	0.015

Ref: *National report on assessing progress in implementing, Habitat II (Istanbul+5), New york June 2001,MEH.*

The state policy focused since the last decade on densification and the protection of farming land, the elaboration of regional agricultural cards (cartes agricoles) and the creation of a national commission in order to delimit farming land that can be given away for the urban extension for its poor agricultural productivity. Up to now 20000 ha are given to ha for urban extension.

Table 7: Consumption of farming land 2000-2008

	Municipal territory	Rural territory	total
Total area	15000 ha	5000 ha	20000 ha
average	107 ha/ municipality	27 ha/ agglomeration	

Ref: Direction de l'urbanisme – ministere de l'équipement, de l'habitat et de l'aménagement du territoire

The population density increased from 29 dwellings /ha in the new operations of building, the popular quarters, and the ancient towns (medinas) to dwellings /ha (185 inhabitants/ha) in the big towns.

Mapping and cadastral plans

Since 1974, the office of mapping and topography (Office de la cartographie et de la topographie) was in charge of the elaboration of geodesic references, basic mapping documents and cadastral registration. In the recent years, many actors, public and private, are also allowed to participate in the elaboration of cartographic documents (the national center of teledetection under the guardianship of the ministry of defense and many other private actors).

The Urban Agency of Tunis District (agence urbaine de grand Tunis) elaborates a geographic data-base for Tunis district in order to assume its main activity of control urban extension, creation of urban indicator data base and elaboration of land development plans for Tunis district.

Public transport and road infrastructure:



The state effort to improve the urban transport is noticed since the last 3 decades. The target is to cover the growing needs of transport with a reasonable cost and to provide a modern infrastructure in order to offer an open economic activity and commercial exchanges and attract the international investors to settle their activities in Tunisia.

Fig 3: road and public transport network

Source: Development industriel Enfidha -D.I.E.T 2008

The transport system is based on:

- The road infrastructure consisted of international highways (transafrican network linking the north African nations and the west African nations), a strong traffic network including about 20000 km of highway serves and links all the Tunisian cities, a priority road network and a rural road network.

In the recent years many projects have been launched in order to improve the traffic network (tunnels, bridges, extension of the highways and priority roads,...)

- Public transport:

The state encourages the use of public transport the traffic jam. However, with the urban growth of the cities, the traffic jam became a serious problem mainly in Tunis district (the capital and suburbs). Inherited from the French system, the infrastructure is modernised and improved since the independence. The railway system has a total of 2152 km of rails serving the Tunisian territory and links the neighbouring countries and a light rail system since 1985 for the district of Tunis. A project of extension of the network is already launched by the state.

Access to Basic Services

A particular attention was paid to improve life conditions and especially by providing and generalizing the access to basic facilities for all citizens. It is noticed an improvement during these recent years:

Table 8: Improvement of the access to basic services

Basic services	1987	1994	2004
Electricity (%)	32	86.9	99
Drinking water (%)	28.7	84.9	95.6
Sewage (%)	51.5	59.8	78.3
Telephone connection (%)	3	15.2	35.6

Ref: INS 2004/ National report on assessing progress in implementing, Habitat II (Istanbul+5), New York 2001.

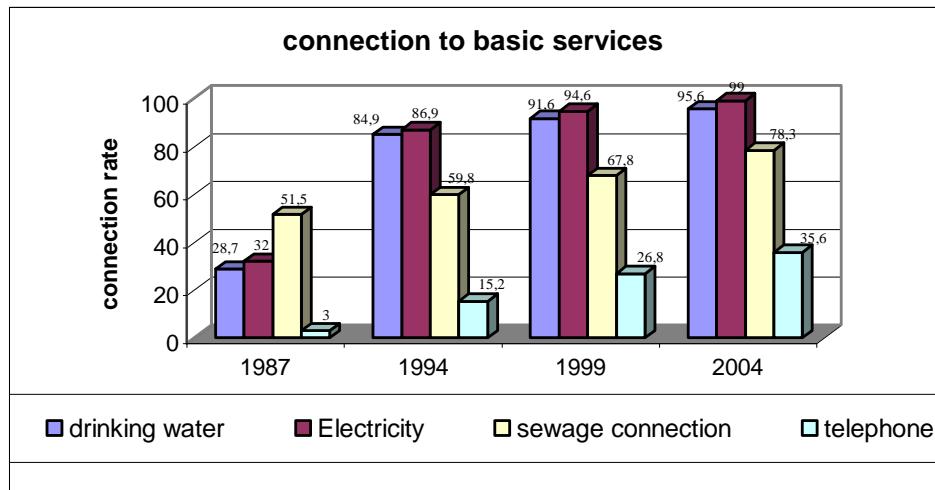


Fig4: Increase of the connection to basic services from 1987 to 2004

1.3 Policy

Since the publication of the new territorial development and town planning code in 1994 (Code de l'aménagement du territoire et de l'urbanisme), the Tunisian policy turned towards the concepts of sustainable and harmonious development. It shifted from a centralized to a decentralized policy in order to take advantages from the knowledge of the local and regional authorities about the local characteristics and needs, to reduce the time of elaboration and execution of regional local projects and to improve the role of local authorities.

However, the lack of competent and specialized staff, of equipments and financial means involved a delay in the elaboration of the local projects and especially the urban land plans and many of technical problems. Thus, since 2005, the legal framework was updated in order to give back the central authorities the control and assistance and final agreements.

The national strategy designed is based on :

- minimizing conflicts in land use between diverse sectors,
- assuring an efficient land use for maximum benefits,
- identifying today and future social needs and requirements and improving economic development
- providing and reinforcing protection of the environment,
- adopting the integrated land planning concept in order to ensure equal access to services, reduce population movements and social segregation.

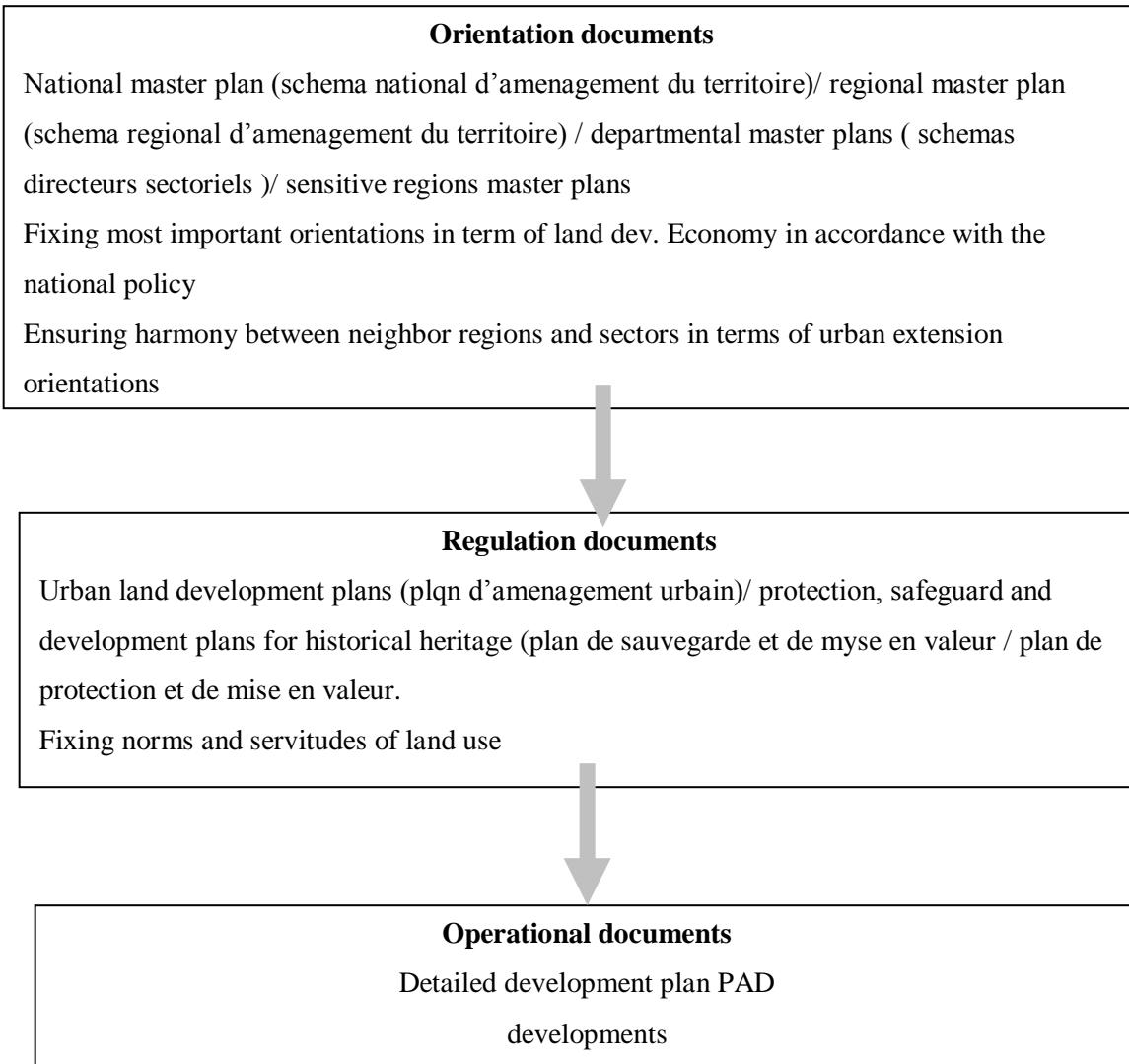
Territorial development and land planning

The territorial development and town planning code published in 1994 (Code de l'aménagement du territoire et de l'urbanisme) is the most important document organizing the land planning and territorial development by defining norms and tools and documents.

The legal framework is completed by several texts published including:

- creation of three land agencies for housing, tourism activities and industrial activities since 1973 ,
- Creation of Tunis District in 1972 replaced by the Urban Agency of Tunis District (agence urbaine du grand Tunis) in 1995
- creation of the urban rehabilitation and renovation agency (agence de rehabilitation et de renovation urbaune) in 1981
- Creation of the advisory committee of town planning and architecture composed of several relevant departments and headed by the prime minister in charge of ensuring harmony between all development projects and balance in the distribution of the main projects.
- Special regulation for big commercial areas implantation
- Creation of the Housing Bank (Banque de l'habitat), the National Solidarity Fund 26-26 in 1992 (caisse nationale de solidarité sociale) financed from the State Budget and donations from citizens and private firms

The code provides 3 types of land planning documents:



Since 2004, the electoral presidential programme launched the update of the urban land development plans for all the municipalities (264) taking into consideration:

- the new policy of densification of the buildings including 2 floors at least in order to reduce the urban extension on farming lands,
- the integrated land planning concept by providing multifunctional urban space including economic, cultural activities and residential spaces for different social categories in the same quarter.
- the environmental concept by designing green areas urban parks and preserving the different servitudes (hydraulic, maritime, sensitive zones, ...).

Land planning includes many sectors (environment protection, natural resources protection, transport,...) and must take into consideration their regulation documents.

Environment protection

Many actions have been taken by the state in order to ensure the environment protection as part of the sustainable development and land planning. The most important act was the creation of the Ministry of Environment and Sustainable Development in 1995 and agencies under its guardianship

Protection of farming land and natural resource

A legislative framework has been designed to protect natural resources from the unplanned urban extension. The most important texts are the act of 1983 about the protection of farming land updated in 1990 and 1996, the act of 1988 about the publication of the forest code and the diverse regional agricultural cards approved by decrees.

However, the increase of the phenomenon of land speculation, and the absence of institutions and structures to control the agricultural land involved the extension of unplanned districts on rich farming areas especially located inside the territory covered by land development plans.

Face to these problems, a new proposition of amendment of the law is under study in order to fix special taxes to farming land located in the territory covered by land development plans and submit every request to give away farming land for urban use to a strict procedure in order to reduce speculation and to control the unplanned urban extension over the farming land.

1.4 Actors and their Roles

The ministry of infrastructure, housing and territorial development (ministere de l'équipement, de l'habitat et de l'aménagement du territoire) is in charge of the design of the State Policy in territorial development, land planning and housing.

Many other ministries participate to the land planning policy according to their competence (ministry of agriculture and hydraulic resources, ministry of environment and sustainable development, ministry of transport, ministry of tourism, ministry of industry, ministry of culture and patrimony protection,...

The local authorities (municipalities, regional councils) are in charge of the elaboration of development projects at the local and regional level.

Since recent years, the state encourages the public and private actors to participate to the land development.

Public actors:

- The Housing Land Agency (agence fonciere de l'habitat): created in 1973 and is responsible for the acquisition and servicing of land for building before transferring it to the citizens or developers, the objective is to control prices and counter speculation and to supply more social housing in order to combat the unregulated self-built housing. The agency covers about 25% of the national needs of developed land for housing,
- The Tourism Land Agency (agence fonciere du tourisme): created in 1973 and is responsible for the acquisition and servicing of land for tourism use before transferring it to the citizens or developers.
- The industrial Land Agency (agence fonciere industrielle) created in 1973 in charge of servicing land for building industrial units by developers,
- The Urban Rehabilitation and Renovation agency (agence de renovation et de rehabilitation urbaine) created in 1981 and is in charge of renovating and rehabilitating old dwellings and unregulated urban areas. The agency made many projects for integrated urban development (see annex),
- The Urban Agency of metropolitan region (agence urbaine du Grand Tunis) in 1995 and responsible of control urban extension, creation of urban indicator data base and elaboration of land development plans for Tunis district, follow-up of the elaboration of main land development projects in the Tunis district.
- The Agency for Protection and Development of the Coastline (agence de protection et d'aménagement du littoral) created in 1995,
- 7 agencies for the protection of old towns “medina “- (associations de sauvegarde de la medina de Tunis)
- Housing corporations which are responsible of the acquisition and servicing of land and building houses before transferring them to adherents

(military housing office, ministry of education housing office, ministry of Interior housing office...).

Private actors

Since 1995, the state has encouraged and organised the private sector (families and developers). Consequently, the number of private operation of land development increased.

2 Organisation

The ministry of Infrastructure, Housing and Territorial Development in Tunisia (ministere de l'équipement de l'habitat et de l'aménagement du territoire) is in charge of the design of the State Policy in Housing and land planning. Also it looks after the application of this policy by giving technical assistance to regional and local authorities and through public actors in the housing and land planning under its guardianship, as the tunisian national company for housing (societe nationale immobiliere de la Tunisie) in the housing field, the Housing Land Agency (agence fonciere de l'habitat), the Urban Rehabilitation and Renovation agency (agence de rehabilitation et de renovation urbaine), the urban agency for Tunis metropolitan region (agence urbaine du grand Tunis), the company for development of Tunis lake (societe de promotion du lac de Tunis) and TAPARRURA, company in the development of the seaboards of Sfax city .
The ministry assures the guardianship of public and private real-estate developers, architects, engineers, town planners and the technical guardianships of the housing bank (banque de l'habitat).

3 Urban Problem

The state has made an important effort to improve the land planning sector. The legislative framework defined many documents, tools and actors for the development and the control of urban extension.

However the phenomenon of land speculation grows up and involves an increase in the land cost (which represents between 15 to 20% of the dwelling cost) and the unplanned urban extension.

Today with the new world concepts and challenges, the intervention on the urban policy and tools become an urgent and pressing need to face these problems and to follow the world's urban orientations.

The analysis of the urban situation led to emphasize some urgent problems:

Land:

- Deficit in the constructible land and the growing of the phenomenon of land speculation
- Expensive land cost compared to the income
 - 1m2 of land developed = 85% of median household income
 - 1m2 of farming land = 10% of median household income

Tools:

- Long procedures to elaborate land planning documents (delay in the elaboration of master plans (schemas directeurs d'aménagement, absence of plans for protection or safeguard of historical areas (plan de sauvegarde et de mise en valeur, plans de protections et de mise en valeur))
- Complicated procedure to use land control tools
 - land intervention area (perimetre d'intervention fonciere)
 - reserve intervention area (perimetre de reserve fonciere)

Actors:

- Lack of coordination between actors and sectors in land development programs and the use of land reserves (absence of the role of the advisory committee of town planning and architecture, absence of master plans)
- Confusion in roles between different actors.

Technical and financing means:

- Lack of competence and financing means to ensure land control by local authorities unprepared enough to the decentralization policy,
- Lack of financing means of the public actors to buy and control the land reserves for future development programs after the territorial development and town planning code (code de l'aménagement du territoire et de l'urbanisme -1994) removed the Intervention Fund for Territorial Development (fond pour l'intervention pour l'aménagement du territoire)
- Lower use of new technologies to control land and to ensure coordination between sectors and actors.

This work aims many challenges:

- How to improve the strategy of control urban expansion?
- How to ensure harmony in the land use between different sectors for maximum benefits with the target of sustainability and protection of the environment and agricultural activities?

4 Proposal for Change and Improvement

Policies should be revised in order to control land markets and to ensure the access to all social categories. This can be achieved through:

- Improvement of legal framework by simplifying procedures of land planning document elaboration (master plans and land development plans) with an orientation towards densification and compaction of cities.
- Providing land reserves and finding financing means through the creation of funds for territorial development to finance local authorities and public actors for strategic land planning needs. The fund can be financed by the profits achieved by selling developed lands, taxes and sanctions. In addition cooperation between neighbouring municipalities or private partnerships can also be used to alleviate financing difficulties of providing land reserves.

Coordination between central government, local authorities and the private sector is fundamental.

- provision of structures for coordination at the central level (creating regional urban agencies in charge of the follow-up of land development projects and the elaboration of regional urban databases),
- Cooperation between municipalities in land planning programmes provides balance and harmony between different regions. “City to city cooperation” allows for the exchange of experiences and the localizing of goals.
- There is a need for the development of local capacity through gradual decentralization for developing local strategies to avoid the increase of

regional disparities, reinforcement of the staff number. There should also be a focus to increase their knowledge in the use of new technologies to control urban sprawl and to ensure coordination between sectors and actors in the use of land reserves (GIS, effective distant-learning programs, cascade local economic development for all levels of government, development of standard database indicators for every city)

5 Personal Action Plan

My present work as a head of the department of land planning studies under the division of town planning allows me to have a personnal role in the concretization of the proposals for change and improvement. This will be by presenting the proposals formulated in this paper to my superiors. these proposals include the review of legal framework, creation structures and tools for coordination.

The tables below summarize the different actions for 1 year and the actions during 5 years.

Action plan for 5 years

Action	Nature of the action			
	Legal framework	Organizations	Tools	Training
1- Review time and procedures of elaboration land planning and territorial development documents	<ul style="list-style-type: none"> - Formulating detailed proposal to review time and procedures. - Roundtables to discuss the proposals with representatives of regional, local authorities and concerned sectors 		<p>Assistance local authorities to activate the elaboration of their land development plans.</p>	<p>Organizing seminars to present and explain the new decisions and directives (if approved) to regional and local authorities and different actors in the field.</p>
2-Financing the local authorities and public actors for strategic land planning needs		<ul style="list-style-type: none"> - Formulating detailed proposal to create fund for territorial development including description tasks, financing resources of the fund - Roundtables to discuss the proposals with representatives of regional, local authorities and concerned sector 		<p>Organizing seminars to present and explain the task of the fund (if approved) how it works and how can local authorities and public actors have access to loans to finance their projects</p>

Action	Nature of the action			
	Legal framework	Organizations	Tools	Training
3- Regional structures for coordination between land planning programs of different sectors and actors		<p>Formulating detailed proposal to create regional urban agencies for high urbanized regions</p> <ul style="list-style-type: none"> - Roundtables to discuss the proposals with representatives of regional, local authorities and concerned sectors 	<p>Follow-up of the reports that should be prepared by the regional urban agencies after their creation in order to collect regional data and ensure the harmony at the national level</p>	
4- Cooperation between municipalities in the design and financing land planning programs	<ul style="list-style-type: none"> - Make proposals to design a legal framework organizing the cooperation between municipalities. - Roundtables to discuss the proposals 		<p>Assistance local authorities to elaborate their joint land development plans.</p>	<p>Organizing seminars to present and explain the legal framework organizing the cooperation between municipalities (if approved) to regional and local authorities and different actors in the field</p>
18				

Action	Nature of the action			
	Legal framework	Structures	Tools	Training
5- New technologies to coordinate the use of land by different actors and to control the urban sprawl			<ul style="list-style-type: none"> -Proposals to develop of standard database indicators and GIS for central and local authorities - use of database for quantifying the urban needs. - Use of GIS in the land planning follow-up 	Trainings for the application and use of GIS, Databases with face to face and distant learning programs

Action plan for 2009 Nature of the action				
	Legal framework	Structures	Tools	Training
1- Revise time and procedures of elaboration land planning and territorial development documents	<ul style="list-style-type: none"> - Formulating detailed proposal to review time and procedures. <p>Roundtables to discuss the proposals with representatives of regional, local authorities and concerned sectors</p>			
2- Financing the local authorities and public actors for strategic land planning needs		<ul style="list-style-type: none"> - Formulating detailed proposal to create fund for territorial development including description tasks, financing resources of the fund - Roundtables to discuss the proposals with representatives of regional, local authorities and concerned 		
3- Regional structures for coordination between land planning programs of different sectors and actors		<ul style="list-style-type: none"> - Formulating detailed proposal to create regional urban agencies for high urbanized regions - Roundtables to discuss the proposals with representatives of regional, local authorities and concerned sectors 		
4- Cooperation between municipalities in the design and financing land planning programs	<ul style="list-style-type: none"> - Make proposals to design a legal framework organizing the cooperation between municipalities. - Roundtables to discuss the proposals 			
5- New technologies to coordinate the use of land by different actors and to control the urban sprawl			<ul style="list-style-type: none"> -Proposals to develop of standard database indicators and GIS for central and local authorities 	Trainings for the application and use of GIS, Databases with face to face and distant learning programs

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